UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,693	06/27/2001	Peter Churchyard	NETAP006	6452

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Zilka-Kotab, PC
P.O. BOX 721120
SAN JOSE, CA 95172-1120

EXAMINER
HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="3">Office Action Summary</td><td>Application No.
09/894,693</td><td>Applicant(s)
CHURCHYARD, PETER</td></tr>
<tr><td>Examiner
Doug Hutton</td><td>Art Unit
2179</td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 June 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 June 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because it exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

- on Page 9, Line 21 through Page 10, Line 10, there is an explanation for lines 1, 2, 3, 5 and 7 of Figure 3B. However, there is no mention of lines 4 and 6. It appears that explanations for lines 4 and 6 was inadvertently omitted. Applicant should amend this portion of the Specification to include explanations for lines 4 and 6; and

- the phrase "and 6" on Page 10, Line 15 should be amended to — and 7 — because that is the proper line number.

Appropriate correction is required.

Claim Objections

Claims 1, 5, 8, 12 and 15 are objected to because of the following informalities:

- the phrase "based on the state machine of the tag structure" in Claim 1, Line 8

  should be amended to — based on the tag structure state machine — so that it

  reads more clearly; Claims 5, 8, 12 and 15 have the same problem.

Claims 7 and 14 are objected to because of the following informalities:

- the term "immediate" in Claim 7, Line 6 should be amended to — located

  immediately — so that the claim reads more clearly; Claim 14 has the same

  problem.

Claim 16 is objected to because of the following informalities:

- the phrase "A method" in Line 1 should be amended to — The method —

  because the method is previously identified in Claim 15.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Friedman et al., U.S. Patent No. 6,763,499.

Claim 1:

Friedman discloses a method for reformatting a tag-based code containing at least one corresponding beginning and end tag pair (see Column 5, Lines 37-47 – Friedman discloses this limitation in that the XML parser utilizes an element stack that "reformats" the XML as it is parsed), comprising:

- locating each beginning and end tag of the tag-based code (see Column 13, Line 5 through Column 14, Line 40 – Friedman discloses this limitation in that the XML parser locates start and close tags of the XML as it is parsed);

- separating distinct tags and data associated therewith into separate lines (see Column 13, Line 5 through Column 14, Line 40 – Friedman discloses this limitation in that the XML parser pushes an element onto the element stack after encountering the start tag for the element; each element that is pushed onto the element stack includes "data associated therewith" in that any associated namespaces are saved with the corresponding element in the element stack);

- maintaining a tag structure state machine for determining a tag structure corresponding to each line (see Column 4, Lines 15-18; Column 12, Line 50 through Column 14, Line 40 – Friedman discloses this limitation in that the XML parser maintains the state of each element in order to retain the hierarchical structure of the XML as it is parsed); and

- delineating each line with a representation of a tag structure corresponding to the line based on the state machine of the tag structure (see Column 4, Lines 37-42; see Column 11, Lines 26-43 – Friedman discloses this limitation in that the XML parser creates a unique token that is placed on the element stack in order to maintain the proper state as the XML is parsed).

Claim 2:

Friedman discloses the method of Claim 1, wherein said maintaining the tag structure state machine includes maintaining a LIFO tag stack (see Column 12, Line 49 through Column 13, Line 4 – Friedman discloses this limitation in that the XML parser removes the top frame from the element stack when a corresponding close tag is encountered).

Claim 3:

Friedman discloses the method of Claim 2, wherein said maintaining the tag structure state machine includes inserting each beginning tag onto the LIFO tag stack upon locating the beginning tag (see Column 10, Lines 60-67 – Friedman discloses this limitation in that the XML parser pushes an element onto the element stack when a start tag is encountered).

Claim 4:

Friedman discloses the method of Claim 1, wherein said maintaining the tag

structure state machine includes removing a beginning tag from the LIFO tag stack

upon locating a corresponding end tag (see Column 12, Line 49 through Column 13,

Line 4 – Friedman discloses this limitation in that the XML parser removes the top frame

from the element stack when a corresponding close tag is encountered; this "top frame"

includes the start tag of the element).

Claim 5:

Friedman discloses the method of Claim 1, wherein said delineating each line

with a representation of a tag structure corresponding to the line based on the state

machine of the tag structure includes prefixing each line with said representation (see

Figure 5; see Column 11, Lines 26-43 – Friedman discloses this limitation in that the

XML parser "prefixes" each element on the element stack with the unique token).

Claim 6:

Friedman discloses the method of Claim 1, wherein said tag-based code is

selected from the group consisting of HTML, XML, and C (see Column 4, Lines 30-33 –

Friedman discloses this limitation in that the XML parser parses XML).

Claim 7:

Friedman discloses the method of Claim 1, wherein said separating distinct tags and data associated therewith into separate lines includes:

- placing each beginning tag and any data associated therewith prior to a next beginning tag, if any, on a new line (see Column 10, Line 50 through Column 13, Line 4 – Friedman discloses this limitation in that the XML parser, each time it encounters a start tag, pushes the start tag, and any associated namespaces, onto the element stack; upon subsequently encountering a different start tag, the XML parser pushes the different start tag, and any associated namespaces, onto the element stack);

- placing each end tag on a same line as any data associated therewith immediate before the end tag (see Column 10, Line 50 through Column 13, Line 4 – Friedman discloses this limitation in that the XML parser, upon encountering a close tag, removes the corresponding element from the element stack; thus, the XML parser places the end tag and any associated data "on a same line"); and

- initiating a new line each time an end tag is processed if the end of the file is not yet reached (see Column 10, Line 50 through Column 13, Line 4 – Friedman discloses this limitation in that the XML parser, upon encountering a close tag, removes the corresponding element from the element stack and looks for the next element tag; if an element tag is found, then processing is continued, and if no element tag is found, then processing is terminated; thus, the XML parser

"initiates a new line" whenever a close tag is processed if the end of the file is not yet reached).

Claims 8-14:

Claims 8-14 merely recite computer software that performs the methods of Claims 1-7, respectively. Thus, Friedman discloses every element of these claims using the same rationale set forth in the above rejections for Claims 1-7.

Claim 15:

Friedman discloses a method for processing a tag-based code containing at least one corresponding beginning and end tag pair using script tools (see Column 5, Lines 37-47 – Friedman discloses this limitation in that the XML parser comprises "script tools" that "process" the XML as it is parsed), comprising:

- reformatting the tag-based code (as indicated in the above rejection for Claim 1, Friedman discloses this limitation); and

- utilizing script tools to process the reformatted code (as indicated in the above discussion, Friedman discloses "script tools" that "process" the XML), wherein said reformatting includes:

  o locating each beginning and end tag of the tag-based code;

  o separating distinct tags and data associated therewith into separate lines;

  o maintaining a tag structure state machine for determining a tag structure corresponding to each line; and

    o delineating each line with a representation of a tag structure

corresponding to the line based on the state machine of the tag structure

(as indicated in the above rejection for Claim 1, Friedman discloses these

limitations).

Claim 16:

Friedman discloses the method of Claim 15, further comprising stripping each

line of the processed and reformatted code of the delineation representing the tag

structure corresponding to the line (see Column 10, Line 50 through Column 13, Line 4

– Friedman discloses this limitation in that the XML parser removes the each element

from the element stack to present that portion of the web page to the user and

continues processing the XML; thus, the XML parser "strips" each line of XML of its

"delineation").

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure: Draper et al., U.S. Patent No. 6,581,062; Verprauskus et al.,

U.S. Patent No. 6,502,101; DeRose et al., U.S. Patent No. 6,105,044; Tsay et al., U.S.

Patent No. 5,487,165; Savitzky et al., U.S. Patent No. 6,658,624; Shafer, U.S. Patent

No. 5,583,762; Shanmugasundaram, et al, "Relational Databases for Querying XML

Documents: Limitations and Opportunities" Proc. of VLBD, pp. 302-314, 1999; and

Deutsch et al., "Storing Semistructured Data with STORED" ACM SIGMOD Record,

Proceedings of the 1999 ACM SIGMOD International Conference on Management of

Data, June 1999, Volume 28 Issue 2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH
October 20, 2004

**DOUG HUTTON
PATENT EXAMINER
TECH CENTER 2100**